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U.S.PTO

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Docket No. 62601-CON1Anticipated Classification of  
this application: Class

Prior Application:

Examiner: \_\_\_\_\_

Art Unit: \_\_\_\_\_

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

Justin Goree  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir: This is a request for filing a

 Continuation Divisionalof pending prior application Serial No. 10/647,060 filed on August 22, 2003 of Robert J. Mears et al. for SEMICONDUCTOR DEVICE INCLUDING BAND-ENGINEERED SUPERLATTICE

1.  Enclosed is a copy of the prior application as originally filed and an affidavit or declaration verifying it as a true copy.
2.  Prepare a copy of the prior application.
3.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
4.  The filing fee is calculated below:

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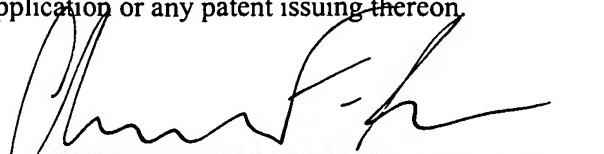
**CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY  
CLAIMS CANCELED BY AMENDMENT BELOW**

FOR:	(Col. 1)		# EXTRA	SMALL ENTITY		LARGE ENTITY	
	# FILED	RATE		FEE		RATE	FEE
BASIC FEE				\$ 385	<u>OR</u>		\$
TOTAL CLAIMS	26	-20	6	X 9	\$ 54	<u>OR</u>	X 18
INDEP CLAIMS	2	- 3	0	X 43	\$ 0	<u>OR</u>	X 84
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED				+140	\$	<u>OR</u>	+280
* If the difference in Col. 1 is less than "0", enter "0" in Col. 2.				TOTAL	\$ 439	TOTAL	\$

5. [X] A check in the amount of \$ 439.00 is enclosed. If any additional extension and/or fee is required, or if any additional fee for claims is required, charge Account No. 01-0484.
6. [X] Cancel in this application original claims 1-71 of the prior application before calculating the filing fee.
7. [ ] Amend the specification by inserting before the first line the sentence: -- --
8. [ ] Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by Rule 138 and before payment of base issue fee.)
- 9a. [ ] New formal drawings are enclosed.
- 9b. [ ] Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119. \_\_\_\_\_ (country)
- 9c. [ ] The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
10. [ ] The prior application is assigned of record to R.J. Mears LLC.
11. [X] The power of attorney in the prior application is to:  
Herbert L. Allen, Reg. No. 25,322; Christopher F. Regan, Reg. No. 34,906; David L. Sigalow, Reg. No. 36,006; Richard K. Warther, Reg. No. 32,180; Michael W. Taylor, Reg. No. 43,182; Enrique Estevez, Reg. No. 37,823; Paul J. Ditmyer, Reg. No. 40,455; John F. Woodson, Reg. No. 45,236; Charles E. Wands, Reg. No. 25,649; Carl M. Napolitano, Reg. No. 37,405; and Jacqueline E. Hartt, Reg. No. 37,845; Jon M. Gibbs, Reg. No. 47,594; David L. Stewart, Reg. No. 37,578 and Frederick R. Jorgenson, Reg. No. 38,196.  
(name and registration number)
- a. [ ] The power appears in the original papers in the prior application.
- b. [X] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. [X] Continue to address all future communications to:  
Christopher F. Regan, Reg. No. 34,906, Allen, Dyer, Doppelt, Milbrath, Gilchrist, P.A., P.O. Box 3791, Orlando, FL 32802-3791  
(407)-841-2330
12. [X] Small entity status of this application under 37 CFR 1.27 has been established by a verified statement previously submitted.
13. [X] I hereby verify that the attached papers are a true copy of prior application Serial No. 10/647,060 as originally filed on August 22, 2003.

The undersigned declare(s) further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Aug. 19, 2003  
Date



CHRISTOPHER F. REGAN  
Registration No. 34,906

Address of signator:

ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST  
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Orlando, Florida 32802-3791  
(407) 841-2330

[ ] Inventor(s)  
[X] Assignee of complete interest  
[X] Attorney or agent of record  
[ ] Filed under Rule 34(a)